

Non-Affiliated Users of University Property

Scope: Who is Covered by this Policy?

Non-~~Affiliated~~Affiliated Users

Policy

~~The University has an obligation to assure the safety of individuals, the protection of property, and the continuity of its educational mission. The purpose of this statement and the policy that follows is to provide through explicit, reasonable limitations on expression a context in which expression may be protected and in which violent actions are avoided.~~

This policy applies to campus events that are scheduled, organized, or supervised by Non-Affiliated Users or campus events over which Non-Affiliated Users have authority to decide whether to hold the campus event or to determine the contents of the campus event. Campus events exclusively scheduled, organized, and supervised by student groups and campus academic and administrative departments are not subject to this policy.

Definitions

Non-Affiliated- Users include persons who are University faculty or staff acting in their personal capacity (e.g. not acting within the course and scope of their employment)

responsibilities), individuals, private companies and corporations, non-profit organizations and unincorporated associations.

Supervision is defined as direct, on-site responsibility for a Campus Event.

Campus Event- For the purpose of this policy a campus event is an event, hosted by a Non-Affiliated User, at a designated campus facility when one or more of the following conditions apply:

1. Over 100 persons are anticipated to attend;
2. Campus officials determine that the complexity of the event requires the involvement of more than one campus administrative office;
3. Campus officials determine that the event is likely to significantly affect campus safety and security (based on assessment from the Miami University Police Department, hereafter MUPD) or significantly affect campus services (including roads and parking);
4. Campus officials determine that the event has a substantial likelihood of interfering with other campus functions or activities;
5. The event is a dance or concert, regardless of the number of attendees;
6. Alcohol is intended to be served; or
7. Outdoor amplified sound is requested.

The University reserves the right to classify any proposed event as a campus event subject to this policy, consistent with the definition set forth above.

Designated Campus Facility- means those facilities owned or controlled by the University that the University makes available to Non-affiliated Users for the purpose of hosting campus events.

Viewpoint neutral -means decisions with regard to campus events shall be made without regard to the opinions, perspectives or positions espoused by the Non-Affiliated

User seeking to host a campus event. This policy is applied without regard for perspectives or positions expressed in connection with a campus event.

General Information

Non-Affiliated Users may rent a designated campus facility, on a space available basis, to host a campus event on campus. Only viewpoint-neutral criteria shall be used for assessing campus events. Non-Affiliated Users may host campus events in certain designated campus facilities and spaces by making an application with University Conference Services and must adhere to the terms and conditions of this policy.

The University recognizes that campus events hosted by Non-affiliated Users can present significant logistical and security concerns.

Non-Affiliated Users of Campus Facilities

1. Priority for the use of University property is typically given to academic and administrative departments of Miami University, then to Student Organizations (Note: Armstrong Student Center has established reservation policies prioritizing student organizations). Subject to the requirements of this Policy, and to campus regulations and policies applicable to specific facilities, designated campus facilities may be made available for use by Non-Affiliated Users provided those facilities are not needed by the campus at that time and use by the Non-Affiliated Users does not materially disrupt campus business or activities. Failure to comply with campus regulations and policies pertaining to Campus Events may result in denial of the Non-Affiliated User's facility use request or cancellation of the Campus Event.
2. Non-Affiliated Users must sign a facilities use agreement that will include an agreement by the Non-Affiliated User to ~~be liable for all costs related to~~bear the cost of the Campus Event. This includes, but is not limited to; any facility fees, basic security costs (as described in the section on Security Procedures below), and any damages or injuries that may ~~occur as a result of~~be caused by the ~~Campus Event.~~Non-Affiliated Users or its members and guests. Individual Non-Affiliated Users may be held personally ~~liable~~responsible for ~~costs related to~~cost of the Campus Event.
3. All campus event attendees may be subject to search for contraband, weapons, drugs, alcohol, and other illegal or prohibited materials. Attendees will be notified

through clearly posted signs at the campus event entrance if they will be subject to a search.

4. The maximum room capacity for all campus facilities is established by the Campus Fire Marshal. The facility manager may reduce capacity further in accordance with staff availability and other considerations.
5. The possession and/or consumption of alcohol at campus events is prohibited unless service is provided by University Catering Services in facilities or spaces licensed to serve alcohol. Under no circumstances will an individual under the age of 21 be served alcohol.
6. The use and/or possession of illegal drugs are prohibited at all Campus Events.
7. To the ~~degree an academic or administrative department or extent~~ a Student Sponsoring Organization co-sponsors a campus event with a Non-Affiliated User, the ~~department or Student Sponsoring~~ Organization may be required to ~~reimburse security costs and other costs~~ bear the cost incurred by ~~other campus units~~ the Non-Affiliated User.

Procedures

All Non-Affiliated Users of designated campus facilities must follow the procedures established by University Conference Services. ~~The University reserves the right to require that the campus event be co-sponsored by a Student Organization, University academic or administrative department and comply with the campus procedures established by University Conference Services. The authority to~~

~~approve use of~~ The authority to approve rental designated campus facilities by Non-Affiliated Users is delegated to University Conference Services or the facilities manager for spaces not assigned to University Conference Services.

1. The University uses a standard Facility Rental Agreement. This document has been developed to ensure that the University's assets and interests are properly protected. The completed and signed Facility Rental Agreement will be retained by University Conference Services or the facilities manager, as applicable.
2. A Certificate of Insurance must be received from the Non-Affiliated User naming "The Miami University" as an additional insured with General Liability coverage of not less than one million dollars (\$1,000,000) per occurrence. The campus event cannot proceed unless the Certificate is provided to the University by the deadline specified by University Conference Services or the facilities manager as

appropriate. Depending on the risks associated with the campus event, the Senior Vice President of Finance and Business Services may require Non-Affiliated Users to provide higher amounts of general liability coverage, additional types of insurance, or both. Upon receipt of a Facility Rental Agreement for a campus event, the facility manager overseeing the property will contact the MUPD and request a security review. This provision may only be waived by the Senior Vice President for Finance and Business Services and Treasurer.

Security Assessment

1. If required pursuant to the criteria set forth in the Security Assessment Form, MUPD will conduct a security assessment based on the information provided and such other information as MUPD may obtain.
2. In consultation with the Office of General Counsel, MUPD will assess security needs based on viewpoint neutral objective and credible evidence of specific risks, and not on assessment of the viewpoints, opinions, or anticipated expression of campus event speakers, sponsors, participants, community, or performers. Permissible factors for consideration include but are not limited to:
 - a. the proposed location of the campus event,
 - b. the estimated number of participants,
 - c. whether the campus event is open to the general public,
 - d. whether the campus event is ticketed,
 - e. the time of the day that the campus event is to take place,
 - f. the date and day of the week of the campus event,
 - g. the proximity of the campus event to other activities or locations that may interfere, obstruct, or lessen the effectiveness of the security measures being implemented,
 - h. the resources needed to secure the campus event,
 - i. the anticipated weather conditions,
 - j. the estimated duration of the campus event, and
 - k. any similar viewpoint- and content-neutral considerations relevant to assessment of security needs.

3. MUPD will make security recommendations that, in MUPD's professional judgment, will address the security needs identified as a result of the assessment conducted pursuant to paragraph B above.
4. The goals of MUPD's security recommendations will be to:
 - a. Minimize risks to the health and safety of the campus event participants and audience;
 - b. Minimize risks to the campus and community;
 - c. Maximize the ability of the Non-Affiliated User to successfully host the campus event; and
 - d. Protect the exercise of rights of free expression by campus event sponsors, participants, and campus community. Recommended security measures may include, but are not limited to, adjusting the venue, date, and/or time of the campus event; providing additional law enforcement; imposing controls or security checkpoints; and creating buffer zones around the venue.
5. If MUPD determines the campus event has substantial security needs, the Non-Affiliated User must schedule a security assessment meeting with MUPD no later than two weeks prior to the campus event date. The meeting may include, as necessary one or more of the following: staff from the Office of General Counsel, Office of Finance and Business Services, Conference Services or the facilities manager; and one or more authorized representative from the Non-Affiliated User. MUPD will discuss security concerns and recommendations at the security assessment meeting, and meeting participants will discuss options for addressing security needs that MUPD has identified.
6. If MUPD determines that, on the basis of information it has received or changing circumstances, its security assessment must be modified, it may schedule additional meetings or communications with the Non-Affiliated User and other appropriate stakeholders to discuss its revised recommendations.
7. Should the Non-Affiliated User and MUPD be unable to agree on implementation of security measures or recommendations, the Non Affiliated User may submit an appeal to the Senior Vice President for Finance and Business Services or designee for final determination. The Senior Vice President for Finance and Business Services or designee will determine the security measures required for

the campus event based on MUPD's security assessment, consistent with the following objectives:

- a. Minimize any identified threat to health and safety of the campus event participants and audience;
 - b. Minimize any identified threat to the campus and surrounding community;
 - c. Maximize the ability of the Non-Affiliated User to successfully hold the campus event; and
 - d. Protect the exercise of rights of free expression by the Non-Affiliated User, participants, and community. Implemented security measures may include, but are not limited to, adjusting the venue, date, and time of the campus event; providing additional law enforcement presence at the campus event; imposing controls or security checkpoints at the campus event; and creating buffer zones around the campus event venue. The Senior Vice President for Finance and Business Services or designee will provide the Non-Affiliated User with a written explanation of the reasons for the final decision.
8. If prior to or during an campus event an imminent threat to safety or property arises, avoidance or minimization of which requires cancellation, postponement or termination of the campus event, authority to cancel, postpone or terminate the campus event rests with the President, the Provost, or the Senior Vice President for Finance and Business Services or if unavailable, the highest-ranking MUPD officer at the campus event.
9. The Non-Affiliated User must agree to reimburse costs of basic campus event security provided by MUPD. Security fees will be based on standard, approved, and published rates for MUPD or other security personnel and for any associated equipment costs or rentals. The number of personnel and amount and type of equipment charged will be based on an assessment that includes but is not limited to the following criteria:
- a. Campus event venue, including venue size, location, number of entrances and exits to be staffed;
 - b. Time of day;
 - c. Number of expected attendees;
 - d. Whether entrances will be controlled and whether the campus event will be ticketed;

- e. Whether the campus event will be open and/or advertised to non-affiliates of the University;
- f. Whether alcohol will be served;
- g. Whether there will be sales of food, beverages, or other items and whether cash handling will occur;
- h. Whether campus event performers come with personal security teams or details that require MUPD liaisons; and
- i. Whether campus event sponsors or campus event performers request additional security measures. Additional security fees will not be charged to campus event sponsors based on concerns that the subject matter of the campus event or the viewpoints, opinions, or anticipated expression of the sponsors, campus event performers, or others participating in the campus event might provoke disturbances or response costs required by such disturbances.

Related Form(s)

Not applicable.

Additional Resources and Procedures

Not applicable.

FAQ

Not applicable.

Policy Administration

Next Review Date

7/1/2023

Responsible Officers

Controller

Legal Authority

Not Applicable.

Compliance Policy

No

Recent Revision History

Amended July 2018; [Amended July 2019](#)

Reference ID(s)

Reviewing Bodies

Administrative

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